



2390/49701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jacob Richter and Gregory Pinchasik,
SERIAL NO. : 09/516,753
FILING DATE : March 1, 2000
TITLE : LONGITUDINALLY FLEXIBLE STENT
EXAMINER : Vy Bui
GROUP ART UNIT : 3738

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HON. ASSISTANT COMMISSIONER
FOR PATENTS
Washington, D.C. 20231

ELECTION OF SPECIES AND PRELIMINARY AMENDMENT

SIR:

In response to the telephonic requirement for the election of species, Applicants elect the species of Figure 5. The claims which read on this species are 1-11, 20-50, 67-92, 95-105, and 108-119. Of these, claim 21 is generic. Claims 1, 2, 9, 11, 20, 22-33, 35-44, 67-92, 95-105, and 108-119 are sub-generic claims reading on the species of Figs. 3, 5, and 11. Claims 3-6, 10, and 49 are generic to the species of Figs. 3 and 5. Claims 45 and 47 are generic to Figs. 5 and 11. Should any of these generic or sub-generic claims be allowed, it is noted that the Applicants are entitled to a reasonable number of species.

In addition, kindly amend the claims by adding the following new claims of which all but 106 and 107 read on the elected species:

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CONCLUSION

If any issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Favorable consideration is respectfully requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4303-4003US1. If a petition for extension of time is required or if there are any additional petitions required with additional fees, the petitions are hereby made and requested and payment authorized by the above Deposit account.

A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: February 11, 2005

By: 
Keith J. McWha
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